

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION (AT DAYTON)

IN RE HUFFY CORPORATION
SECURITIES LITIGATION

: CONSOLIDATED
: CASE NO. 3:05-cv-0028
:
: (Judge Walter Herbert Rice)
: (Magistrate Judge Sharon L. Ovington)
:
:
: **JOINT MOTION TO HOLD IN**
: **ABEYANCE ALL PENDING**
: **MOTIONS AND DEADLINES**
: **UNTIL FINALIZATION OF**
SETTLEMENT AGREEMENT AND
APPROVAL BY THIS COURT

Lead Plaintiffs, UNITE HERE National Retirement Fund and Harry L. Ross, and Defendants, Don R. Graber, Robert W. Lafferty, Paul R. D'Aloia and Timothy G. Howard, (collectively the "Parties"), have reached an oral settlement agreement. Therefore, the Parties request that all pending motions and deadlines be held in abeyance pending a final, written settlement agreement and final approval by this Court. The Parties anticipate filing a motion for preliminary approval of the settlement agreement, including certification of the class for settlement purposes, in the next 60 days.

A proposed Order is attached as Exhibit 1.

Respectfully submitted,

s/ D. Jeffrey Ireland

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Trial Attorney

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**MEMORANDUM IN SUPPORT OF JOINT MOTION TO HOLD IN ABEYANCE
ALL PENDING MOTIONS AND DEADLINES UNTIL FINALIZATION OF
SETTLEMENT AGREEMENT AND APPROVAL BY THIS COURT**

Lead Plaintiffs, UNITE HERE National Retirement Fund and Harry L. Ross, and Defendants, Don R. Graber, Robert W. Lafferty, Paul R. D'Aloia and Timothy G. Howard, (collectively the "Parties"), have reached an oral settlement agreement resolving all claims pending before this Court in the above-captioned case. As a result, the Parties request that all pending motions and deadlines be held in abeyance pending final, written agreement among the Parties and final approval by this Court.

Currently pending before the Court are the following motions:

1. Lead Plaintiffs' Motion for Class Certification and accompanying Memorandum of Law In Support of Motion for Class Certification (Doc. Nos. 96-97) (filed under seal March 6, 2009);
2. Defendants' Motion for Summary Judgment Based on Lead Plaintiffs' Lack of Standing (Doc. No. 112) (filed under seal June 5, 2009);
3. Motion of Defendants for Partial Summary Judgment on Plaintiffs' Allegations Regarding the April 16, 2002 and June 17, 2002 Huffy Corporation Press Releases (Doc. No. 113) (filed under seal June 5, 2009); and
4. Joint Motion to Amend the Existing Case Management Schedule (Doc. No. 128) (filed Nov. 6, 2009).

The foregoing motions should be held in abeyance pending finalization of the Parties' settlement agreement and final approval by this Court.

Also, all deadlines pending pursuant to the December 19, 2008 (Doc. No. 84; filed Dec. 19, 2008), June 26, 2009 (Doc. No. 118; filed June 29, 2009), and July 31, 2009 (Doc. No. 120; filed August 3, 2009) Scheduling Orders, should be held in abeyance pending finalization of the Parties' settlement agreement and final approval by this Court.

Therefore, the Parties request that all pending motions and deadlines be held in abeyance pending a final, written settlement agreement and final approval by this Court. The Parties anticipate filing a motion for preliminary approval of the settlement agreement, which will include certification of the class for settlement purposes, in the next 60 days.

Respectfully submitted,

s/ D. Jeffrey Ireland

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Trial Attorney

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CERTIFICATE OF SERVICE

I certify this 9th day of February, 2010 that I electronically filed the foregoing Joint Motion to Hold in Abeyance All Pending Motions and Deadlines Until Finalization of Settlement Agreement and Approval by This Court, with the Clerk of Courts using the CM/ECF system, and via electronic mail to the following counsel of record:

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